



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

HARVARD

LAW REVIEW

VOL. IX.

1895-96

CAMBRIDGE, MASS.

THE HARVARD LAW REVIEW PUBLISHING ASSOCIATION

1896

Copyright, 1895

BY THE TRUSTEES OF THE HARVARD LAW REVIEW

THE UNIVERSITY PRESS, CAMBRIDGE, MASS., U. S. A.

TABLE OF CONTENTS.

ARTICLES.

	PAGE
AGENCY, OF THE NATURE OF. <i>Everett V. Abbot</i>	507
CONSEQUENCES OF AN ACT, RECOVERY FOR. <i>J. H. Beale, Jr.</i>	80
CONSIDERATIONS MOVING FROM THIRD PERSONS. <i>Edmund H. Bennett</i> . . .	233
CORPORATE POWER, THE UNAUTHORIZED OR PROHIBITED EXERCISE OF. <i>George Wharton Pepper</i>	255
CUBAN BELLIGERENCY, THE RECOGNITION OF. <i>J. H. Beale, Jr.</i>	406
DECREES IN PERSONAM, WHAT ARE. <i>T. M. Stetson</i>	447
ELECTRIC RAILWAYS IN THE HIGHWAYS, CONFLICTING RIGHTS OF TELEPHONE LINES AND SINGLE TROLLEY. <i>Simon G. Croswell</i>	493
EXECUTORS. <i>O. W. Holmes</i>	42
GENERAL AVERAGE. <i>John Lowell</i>	185
HAMLIN & CO. V. TALISKER DISTILLERY. <i>William Schofield</i>	371
INJUNCTIONS AGAINST LIQUOR NUISANCES. <i>Arthur C. Rounds</i>	521
JUDICIAL CONFLICT—MISTAKE IN BOUNDARY LINES. <i>Frank W. Hackett</i> . .	464
JUDICIAL PRECEDENTS—A SHORT STUDY IN COMPARATIVE JURISPRUDENCE. <i>J. C. Gray</i>	27
JUSTICE ACCORDING TO LAW. <i>Frederick Pollock</i>	295
LEGAL HISTORY IN MASSACHUSETTS, A CHAPTER OF. <i>J. B. Thayer</i>	1
LOTTERY BONDS IN FRANCE AND IN THE PRINCIPAL COUNTRIES OF EUROPE. <i>Henri Lévy-Ullmann</i>	386
MAXIMS IN JURISPRUDENCE, THE USE OF. <i>Jeremiah Smith</i>	13
NATION, A NEW. <i>Hollis R. Bailey</i>	309
PERPETUITIES, GENERAL AND PARTICULAR INTENT IN CONNECTION WITH THE RULE AGAINST. <i>J. C. Gray</i>	242
POLLOCK V. FARMERS' LOAN AND TRUST CO. <i>Francis R. Jones</i>	198
PUBLIC POLICY, THE DOCTRINE OF, AS APPLIED TO OWNERSHIP OF REAL ESTATE BY FOREIGN CORPORATIONS. <i>Arthur M. Alger</i>	91
RATIFICATION, A PROBLEM AS TO. <i>Eugene Wambaugh</i>	60
SAFE DEPOSIT COMPANIES, A REVIEW OF THE LAW OF. <i>Thomas K. Cum- mins, Jr.</i>	131
SALE IN THE CIVIL LAW, THE RISK OF LOSS AFTER AN EXECUTORY CON- TRACT OF. <i>Samuel Williston</i>	72
SALE IN THE COMMON LAW, THE RISK OF LOSS AFTER AN EXECUTORY CON- TRACT OF. <i>Samuel Williston</i>	106
SPECIALTY CONTRACTS AND EQUITABLE DEFENCES. <i>J. B. Ames</i>	49
STATE REGULATION OF RAILROAD RATES OF FARE AND FREIGHT, FEDERAL RESTRAINTS UPON. <i>William F. Dana</i>	324
STATUTE OF FRAUDS, JUDICIAL REPEAL OF THE. <i>Jesse W. Lienthal</i> . . .	455
STATUTES OF 1895, THE ENGLISH. <i>G. Rowland Alston</i>	439
TEACHING OF ENGLISH LAW AT UNIVERSITIES, THE. <i>J. B. Thayer</i>	169

RECENT CASES.

ACCIDENT INSURANCE. See <i>Insurance</i> .	
ACCRETION. See <i>Real Property</i> .	
ADMINISTRATION. See <i>Mortgage</i> .	
	PAGE
ADMIRALTY. Salvage; gas float in a river	429
State statute giving recovery for death; federal jurisdiction	482
ADVERSE POSSESSION. See <i>Real Property</i> .	
AGENCY. Carriers; tort of servant	429
Conflicting interests of an agent	218
Employment of an attorney by collecting agency	151
Liability of agent to third persons	356, 543
Vice-principal becomes fellow servant when	429
When knowledge of agent is knowledge of principal	543
ASSIGNMENT. See <i>Equity</i> .	
BAIL. Admission to bail after conviction pending appeal; power of Supreme Court justice	151, 152
BANKRUPTCY. Power to go behind judgment; unfair compromise	152
BANKS AND BANKING. Insolvency of collecting bank; trust funds	218, 436
Negligence of officer	283
BILL OF LADING. See <i>Carriers</i> .	
BILLS AND NOTES. Banker's lien; discharge of surety	152
<i>Bona fide</i> purchaser; notice	283
Fictitious payee	483
Forged indorsement; payment by drawee	483
Guaranty; Statute of Frauds	356
Innocent purchaser; knowledge of defence at time of suit; set-off	544
Negotiability; uncertainty in amount	219
Statute of Limitations	283
Unaccepted check; liability of bank having funds of drawer	544
Vendor's lien; payment by indorser	483
BURDEN OF PROOF. See <i>Evidence</i> .	
CARRIERS. Bill of lading; deficiency in cargo	283
Bill of lading; duplicates	483
Liability for tort of servant	429
Liability founded on tort	224
Sleeping Car Co.'s liability for money lost by passenger	429
Statutory regulation of charges; constitutionality	154
Termination of liability	153
Transfer of sleeping car section for part of journey	356
Warranty of seaworthiness; latent defects	152
Wrong ticket	356
CHARITIES. See <i>Trusts</i> .	
CHOSE IN ACTION. Assignment; notice	153, 357
CLUB. Resignation	551
CONFLICT OF LAWS. Domicil	544
Federal rule in matters of general commercial law	430
Foreign contracts	357
Foreign judgments; conclusiveness	430
Service of process	430
CONSTITUTIONAL LAW. Criminal procedure; waiver of twelve jurors	357
Eminent domain; public use	223
Exemption of veterans from civil service rules	284

RECENT CASES — CONSTITUTIONAL LAW — *Continued.*

	PAGE
Federal courts following State decisions	284
Gettysburg Reservation	544
Irrigation	284
Licenses; peddlers	483
Municipal boundaries; power of legislature to annex non-contiguous territory	153
Partly unconstitutional statute; "Income tax" case	219
Police power; examining board of plumbers	154
Regulation of carriers' charges	154
Riparian land held subject to public servitude	483
Seizure of private property as criminal evidence	484
Self-incriminating testimony	357
Statute of Limitations; vested right	219
Trial by jury	357
CONTRACTS. Accord and satisfaction	285, 544
College authorities; power to expel	545
Consideration; successive promises of same performance (two cases)	220
Delivery in instalments; breach <i>in limine</i>	154
Express condition; architect's certificate	219
Foreign contracts	357
Fraud; parol evidence	358
Illegality	285
Conspiracy to lessen competition	484
Recovery or illegal contract	545
Wager	286
Partnership; novation	220
Public policy; procuring of a refund of the direct tax paid to U. S. in 1861	285
Agreement to waive claim for negligence	545
Salvage; fraudulent concealment; recovery for service rendered by fraudulent party	484
<i>Ultra vires</i> ; <i>res judicata</i>	285
Surety	546
CORPORATIONS. Benefit society; undistributed funds	155
Charitable; liability for negligence of servants	545
Collusive conveyance to acquire federal jurisdiction	484
Devise of more property than authorized by charter	358
Floating security; mortgage of charged assets	286
Liability of promoters	431
Misappropriation by directors	545
Municipal; annexing non-contiguous territory	153
Not subject to garnishment	288
Failure of county to repair bridge	433
Liability for defective water works	487
Limitation of indebtedness of city	358
Power to regulate price of gas	286
<i>Ultra vires</i> contract; recovery; surety	546
Lawful act for unlawful purpose	546
<i>Res judicata</i>	285
Unpaid subscriptions; illegality subsequent to incorporation no defence	485
CRIMINAL LAW. Failure to pass sentence; loss of jurisdiction	155
Homicide; self-defence	220
Jurisdiction; bringing stolen goods into State	358

RECENT CASES — CRIMINAL LAW — *Continued.*

	PAGE
Larceny; consent	220
Lotteries	155
Murder and manslaughter	359
Presumption of innocence; burden of proof	155
Procedure; erroneous sentence	220
Excessive sentence	287
Irregular verdict; double jeopardy	287
Waiver of twelve jurors	357
CRIMINAL PROCEDURE. See <i>Criminal Law</i> .	
CROPS. Gift of growing crops	547
Mortgage of future crops	287
DAMAGES. Conversion of stock by one authorized to transfer it as collateral	485
Electric railway; use of cable track	485
Eminent domain	359
Exemplary	221
Expulsion of passenger	221
DEED. Construction; boundaries	223
Boundary on highways (two cases)	157
Estate to begin <i>in futuro</i>	157
Varying by collateral unsealed instrument	156
DIVORCE. See <i>Persons</i> .	
EMINENT DOMAIN. See <i>Constitutional Law</i> and <i>Damages</i> .	
EQUITY. Assignment for benefit of creditors; marshalling assets	431
Collection of a claim by the assignor of it	431
Conveyance in fraud of intended husband	546
Fraud against creditors; payment of life insurance premiums	155
Judgment; bill to vacate	486
Mortgage of future crops	287
Partnership; rights of creditors	221
Pleading; degree of specification for discovery	486
Religious corporation; conveyance to other denomination; injunction	359
Statute of Limitations; mistake	431
Vendee's lien; consideration wholly paid	486
Who may enjoin unauthorized use of public funds?	546
Wrongful conveyance by trustee; partial payment by innocent purchaser	547
See <i>Trusts</i> .	
ESTOPPEL. Misrepresentation made in "honest error"	359
EVIDENCE. Ancient documents; proof of contents	486
Burden of proof of necessity; Sabbath-breaking	487
Character	359
Confessions	431
Declarations of intention; <i>res gestæ</i>	221
Hearsay; teacher's school record	486
Verbal reports	288
Hearsay contradicting dying declarations	432
Insanity	431
New trial; evidence at the former trial taken as the fact	547
Other criminal acts to prove intent	432
Parol evidence (two cases)	547
Deed; collateral unsealed instrument	156
Physician's testimony	221, 222

RECENT CASES — EVIDENCE — *Continued.*

	PAGE
Post-testamentary declarations	288
Presumption of fault	222
Shop books	222
GARNISHMENT. County and municipal corporations.	288
INCOME TAX. See <i>Constitutional Law</i> .	
INSURANCE. Accident policy; suicide	156
Construction	428
Life; rights of beneficiary where insured's estate is bankrupt	548
Suicide; insanity	360
Marine; stranded vessel destroyed by fire	432
INTERSTATE COMMERCE. State control	222
JUDGMENT LIEN. Priority on after-acquired land	432
JUDGMENTS. Conclusiveness of foreign judgments	430
Disqualified judge	288
Joint judgment an entirety; defence	360
Judgment a contract as that word is used in the attachment law	158
Power to go behind; unfair compromise; bankruptcy	152
<i>Res adjudicata</i>	548
Vacation; fraud	486
JURISDICTION. Appeal from State court to U. S. Supreme Court	487
JURY. See <i>Constitutional Law</i> and <i>Criminal Law</i> .	
LANDLORD AND TENANT. See <i>Real Property</i> .	
LIEN. See <i>Personal Property</i> and <i>Judgment Lien</i> .	
LIFE INSURANCE. See <i>Insurance</i> .	
LIS PENDENS. Land conveyed after filing bill and before amendment	361
MALICE. See <i>Torts</i> .	
MARINE INSURANCE. See <i>Insurance</i> .	
MARSHALLING. See <i>Equity</i> .	
MORTGAGE. Power of sale; foreign administrator	158
Recording in wrong book	548
See <i>Corporations</i> and <i>Equity</i> .	
MUNICIPAL CORPORATIONS. See <i>Corporations</i> .	
NEGLIGENCE. See <i>Torts</i> .	
NEGOTIABLE INSTRUMENTS. See <i>Bills and Notes</i> .	
PAROL EVIDENCE. See <i>Evidence</i> and <i>Contracts</i> .	
PARTNERSHIP. Goodwill; right of retiring partner to solicit customers of the old firm	487
Rights of creditors	221
Set-off of a personal debt	289
Transfer of partner's interest after insolvency of firm; rights of firm creditors	433
PATENT LAW. Generic and specific patents	548
PERSONAL PROPERTY. Innkeeper's lien	224
Pledge; conversion by pledgee	289, 549
PERSONS. Criminal Conversation	156
Divorce; cruelty; mental suffering	222, 360
Liability of husband pending divorce proceedings for expenses of wife and child living apart from him	488
Marriage of slaves; effect of emancipation	223
Married woman; Statute of Limitations	487
Damages recoverable in tort	487
Validity of marriage prohibited by statute	548
Wife's separate estate in equity, when created	433

RECENT CASES — *Continued.*

	PAGE
PLEDGE. Pledgor agent of pledgee	159
Repledging by pledgee	549
Tortious sale by pledgee	289
POLICE POWER. See <i>Constitutional Law</i> .	
PRACTICE. Joint judgment; failure to serve one party	360
PRESCRIPTION. See <i>Real Property</i> .	
PRESUMPTION. See <i>Criminal Law and Evidence</i> .	
PROFIT À PRENDRE. See <i>Real Property</i> .	
QUASI CONTRACTS. Fraud; survival of action	290
Judgment; action arising on contract	158
Mistake; pressure of legal process	158
REAL PROPERTY. Accretion	223, 549
Adverse possession; claiming under mistake	289
Tacking	290
Tenant in common	361
Boundaries; courses and distances	223
Highway (two cases)	157
Continuous and apparent easements	156
Conveyance of an expectant estate	488
Covenant of warranty; how affected by Married Women's Act	434
Liability of remote warrantor	488
Dedication; estoppel	488
Street	549
Deed; construction; estate to begin <i>in futuro</i>	157
Descended land how applied in payment of conflicting claims	157
<i>Donatio causa mortis</i>	488
Easement in street; abandonment	434
Ejectment; possession	489
Exception and reservation; <i>profit à prendre</i>	361
Fixtures; vendor's lien as against mortgage	489
Gift of growing crops	547
Landlord and tenant; assignment of rent; reversion	434
Fitness for habitation	289
Implied covenant of quiet enjoyment	434
Life tenant and remainderman; charge on inheritance	550
<i>Lis pendens</i> ; conveyance after filing bill before amendment	361
Malicious building of high fence	549
Mortgage sale; foreign administrator	158
Percolating water; malicious diversion	362
Ownership in	550
Permanent and transient injury by nuisance; Statute of Limitations	435
Prescription; annual sum for repairs	362
Interruption; Prescription Act	361
Rule against perpetuities; restraints on alienation	549
Tenant in common; purchase of outstanding title as against cotenant	435
See <i>Wills</i> .	
RES JUDICATA. See <i>Contracts and Judgments</i> .	
SALES. Action for price when title did not pass; construction	435
Leasehold; condition against objecting to title; specific performance	362
Massachusetts Factors Act	290
Pledgor agent of pledgee	159

TABLE OF CONTENTS.

ix

RECENT CASES — SALES — *Continued.*

	PAGE
Retention of possession by vendor	224
When title passes	290
SALVAGE. See <i>Admiralty and Contracts.</i>	
SLAVES. See <i>Persons.</i>	
SLEEPING CAR CO. See <i>Carriers.</i>	
STATUTES. Death by wrongful act; survival of actions	224
STATUTE OF FRAUDS. Incorporation by reference	489
See <i>Trusts.</i>	
STATUTE OF LIMITATIONS. Concealed trespass	159
Mistake	431
Vested right; constitutional law	219
When action accrues against public office for negligence	362
See <i>Bills and Notes and Real Property.</i>	
SURETYSHIP. Discharge of sureties	152, 489
Surety on <i>ultra vires</i> contract	546
TAXATION. Bonds of another State subject to	435
TORTS. Assault; consent to an abortion	550
Carriers; legal duties	224
Contributory negligence; crossing electric street car lines	490
Death by wrongful act; contributory negligence of sole beneficiary	290
Survival of actions	224
Deceit; absence of intent that plaintiff should act in particular manner	159
Honest intentions	224
Inability to perform a promise	435
Negligent misrepresentations	435
Duty of manufacturer to third persons	224
Duty toward trespassers; turntable case	159
Fraudulent simulation	291, 363
Locality of offence	363
Malicious building of high fence	549
Malicious diversion of percolating water	362
Malicious interference with business	159, 363
Malicious prosecution of civil suit	551
TRUSTS. Breach; bribe; liability of trustee	490
Charities (two cases)	224
Collecting bank; confusion of trust property	218, 436
Conveyance procured by fraud; constructive trust	159
Following proceeds of fraudulent sale	225
Following trust funds into hands of agent	160
Intent to create a trust; notice to beneficiary	363
Lack of beneficiaries	436
Rights of innocent purchaser after partial payment	547
Statute of Frauds	160
VICE-PRINCIPAL. See <i>Agency.</i>	
VOLUNTARY ASSOCIATIONS. Resignation	551
WATER. See <i>Real Property.</i>	
WILLS. Ademption	489
Construction; estate tail; curtesy	158
Effect of destruction of subsequent instrument	364
Effect of legatee causing death of testator	490
"Issue living"; child <i>en ventre sa mère</i>	364
Revocation by codicil; intent	160

NOTES.

	PAGE
ADMISSION TO THE BAR	276
ADVERSE POSSESSIONS, TACKING OF	279
AGENT'S AUTHORITY BY NECESSITY, AN	213
AGENT MAY REPRESENT BOTH CONTRACTING PARTIES, WHEN	349
AMERICAN BAR ASSOCIATION, REPORT OF, FOR 1894	150
BANK CHECKS—A MODIFICATION OF LAWRENCE <i>v.</i> FOX	539
BANKER'S LIEN	146
BARBER SHOPS, CLOSING, ON SUNDAY	425
BENEFICIARIES, IS A TRUST INVALIDATED BY A LACK OF?	426
BILL BEARING A FORGED INDORSEMENT, MONEY PAID ON A	480
BLACKBURN, LORD, OBITUARY	420
CELEBRATION IN HONOR OF DEAN LANGDELL	90
CHARITABLE CORPORATIONS, RESPONDEAT SUPERIOR IN THE CASE OF	541
CHILD EN VENTRE SA MÈRE,—ISSUE LIVING	349
CIVIL ACTION WITHOUT ARREST OR ATTACHMENT, MALICIOUS PROSECUTION OF A	538
CODE REVISION IN NEW YORK, REPORT OF COMMISSIONERS OF	422
CODE REVISION, NEW YORK	280
COLLECTING BANK, WHEN DOES A, BECOME A DEBTOR?	428
COLLEGE DEGREE—JUDICIAL INTERFERENCE WITH FACULTY ACTION	536
COMMERCE, INTERSTATE, AGAIN	217
COMMERCIAL COURTS IN ENGLAND, NEW	146
COMMON LAW, THE ROMAN AND THE	422
COMPARATIVE LEGISLATION	146
CONSENT IN LARCENY	217
CONSTITUTION, BY WHOM SHALL A STATE, BE ADOPTED?	471
CONSTRUCTIVE TRUSTS	150
CONTRACT TO DELIVER IN INSTALMENTS, BREACH OF	148
CONTRADICTION OF DYING DECLARATIONS	472
CONVERSION BY A PLEDGEE	540
CONVEYANCE OF AN EXPECTANT ESTATE	476
CRIME, CAN A MURDERER ACQUIRE A TITLE BY HIS?	474
CUSTODY OR POSSESSION	351
DEARLE <i>v.</i> HALL, THE RULE IN	281
DECEIT, WHEN WILL, LIE ON A BROKEN PROMISE?	424
DECLARATIONS OF INTENTION	216
DEVISE TO CORPORATION, WHO CAN QUESTION?	350
DOE, CHIEF JUSTICE, OBITUARY	534
DYING DECLARATIONS, CONTRADICTION OF	472
EXPECTANT ESTATE, CONVEYANCE OF AN	476
EXTRADITION PROCEEDINGS—WHAT LAW DETERMINES CRIMINALITY OF ACT?	423
FACTORS' ACTS AGAIN	275
FACULTY ACTION, JUDICIAL INTERFERENCE WITH	536
FRAUDS, STATUTE OF—INCORPORATION BY REFERENCE	477
GENERIC AND SPECIFIC PATENTS	538
GETTYSBURG RESERVATION, THE	536
GIFTS, THE INCONSISTENCIES OF THE LAW OF	213
GOODWILL OF A BUSINESS, MAY THE VENDOR OF THE, SOLICIT HIS OLD CUSTOMERS?	479

NOTES — *Continued.*

	PAGE
INCONSISTENCIES OF THE LAW OF GIFTS, THE	213
INCORPORATION BY REFERENCE—STATUTE OF FRAUDS	477
INDORSEMENT, MONEY PAID ON A BILL BEARING A FORGED	480
INNKEEPER'S LIEN	216
INNOCENCE, PRESUMPTION OF	144
INSTALMENTS, BREACH OF CONTRACT TO DELIVER IN	148
INTENTION, DECLARATIONS OF	216
INTENTIONS, THE VALUE OF HONEST	214
INTERSTATE COMMERCE AGAIN	217
ISSUE LIVING—CHILD EN VENTRE SA MÈRE	349
JUDICIAL CHECK ON UNCONSTITUTIONAL LEGISLATION	277
JUDICIAL OPINIONS LONG DRAWN OUT	537
JURISPRUDENCE, A QUESTION OF	215
JURORS, WAIVER OF CONSTITUTIONAL RIGHT TO TWELVE	353
LANGDELL, CELEBRATION IN HONOR OF DEAN	90
LANGDELL CELEBRATION, DATE OF	144
RECORD OF	421
LANGDELL, STUDENTS' DEBT TO DEAN	144
LAW REPORTING, REFORM IN	347
LAW SCHOOL, THE	212, 273, 420, 473
LAW SCHOOL LIBRARY, THE	471
LAWRENCE <i>v.</i> FOX, A MODIFICATION OF—BANK CHECKS	539
LEGAL EDUCATION, LORD RUSSELL'S ADDRESS ON	346
LIEN, BANKER'S	146
INNKEEPER'S	216
MALICIOUS PROSECUTION OF A CIVIL ACTION WITHOUT ARREST OR ATTACH- MENT	538
MARRIED WOMEN—DAMAGES FOR IMPAIRED CAPACITY TO LABOR	473
MUNICIPAL CORPORATION, LIABILITY OF, FOR DEFECTIVE WATERWORKS	475
MURDERER, CAN A, ACQUIRE A TITLE BY HIS CRIME?	474
NATURE OF RAILROAD TICKETS, THE	353
NEGLIGENT PARENT, SHALL A, RECOVER FOR A CHILD'S DEATH?	282
ONE-MAN CORPORATION	280
OUTSTANDING TITLE, PURCHASE OF, BY A TENANT IN COMMON	427
PATENTS, GENERIC AND SPECIFIC	538
PLEDGE, CONVERSION BY	540
POSSESSION, CUSTODY OR	351
PRESUMPTION OF INNOCENCE	144
PREScriptive RIGHT TO COMPEL REPAIRS	352
PRIVACY, THE RIGHT TO	354
QUESTION OF JURISPRUDENCE, A	215
QUINQUENNIAL CATALOGUE, THE NEW	212
REFORM IN LAW REPORTING	347
REPORT OF AMERICAN BAR ASSOCIATION FOR 1894	150
REPORT OF COMMISSIONERS OF CODE REVISION IN NEW YORK	422
RESPONDEAT SUPERIOR IN THE CASE OF CHARITABLE CORPORATIONS	541
RETREATING TO THE WALL	214
ROMAN AND THE COMMON LAW, THE	422
RULE IN DEARLE <i>v.</i> HALL, THE	281
SCHUYLER INJUNCTION, THE	354
SELDEN SOCIETY, THE	347

NOTES — *Continued.*

	PAGE
SIX HUNDREDTH ANNIVERSARY OF EDWARD I.'S PARLIAMENT.	346
SPECIAL LEGISLATION — CLOSING BARBER SHOPS ON SUNDAY	425
STATUTE OF LIMITATIONS.	147
TACKING OF ADVERSE POSSESSIONS	279
TENANT IN COMMON, PURCHASE OF OUTSTANDING TITLE BY A	427
TICKETS, THE NATURE OF RAILROAD	353
TORRENS LAND TRANSFER SYSTEM ON TRIAL, THE	348
TRUSTS, CONSTRUCTIVE.	150
"TRUST FUND" THEORY, THE	481
TRUST, IS A, INVALIDATED BY LACK OF BENEFICIARIES?	426
TURNTABLE DECISION, ANOTHER	149
UNCONSTITUTIONAL LEGISLATION, JUDICIAL CHECK ON	277
VALUE OF HONEST INTENTIONS, THE	214
VICE-PRINCIPAL DOCTRINE	149
WAIVER OF CONSTITUTIONAL RIGHT TO TWELVE JURORS	353
WATERWORKS, LIABILITY OF MUNICIPAL CORPORATION FOR DEFECTIVE	475
YEAR BOOKS, PUBLICATION OF THE	346

REVIEWS.

Alderson on Judicial Writs and Process	165
American Digest for 1895	293
American Electrical Cases, Vols. I. and II.	166
Vol. III.	229
Vol. IV.	492
Anson on Contracts, Eighth English Edition, First American Edition	369
Benham's New York Railroad Laws	229
Bennett's Outlines of Trial Procedure	230
Bishop's New Criminal Procedure, Fourth Edition, Vol. I.	161
Borgeaud's Adoption and Amendment of Constitutions in Europe and America	162
Boutwell's Constitution of the United States at the End of the First Century	292
Bradner's Rules of Evidence	166
Brown: Right to take Water from Streams and Lakes for Public Water Supply	294
Buckler's Origin and History of Contract in the Roman Law	437
Clark's Handbook of Criminal Procedure	167
Clementson's Road Rights and Liabilities of Wheelmen	229
Dembitz on Land Titles in the United States	368
Dos Passos on Inheritance Tax Law	492
Eldridge's United States Internal Revenue Tax System	167
Finch's Digest of Insurance Cases for 1894	168
Finch's Insurance Agent	168
Fishback's Manual of Elementary Law	553
Foster's Commentaries on the Constitution of the United States	491
Foster and Abbot: A Treatise on the Federal Income Tax of 1894	166
Fowler's History of the Law of Real Property in New York	227
Glenn's Handbook of International Law	226
Goodnow's Municipal Home Rule	225
Gray's Restraints on the Alienation of Property	367
Green Bag, The, Vol. VII.	492
Hall's Outline of the Infringement of Patents	230

REVIEWS — *Continued.*

	PAGE
Holland's Elements of Jurisprudence, Seventh Edition	163
Howson on Contributory Infringement of Patents	370
Huffcut on Agency	369
Inderwick: The King's Peace	437
Jaggard's Handbook of the Law of Torts	366
Kynett's Religion of the Republic and Laws of Religious Corporations	293
Merwin on Equity and Equity Pleading	436, 490
Mirror of Justices, The (Selden Society Publications)	291
Moses' Law Applicable to Strikes	228
New York State Library Bulletins	230, 370, 554
Oliver's Precedents and Forms of Practice, Fifth Edition	167
Pollock's Land Laws, Third Edition	552
Pollock and Maitland: The History of English Law before the Time of Edward I.	161, 364
Ray on Negligence of Imposed Duties; Freight Carriers	370
Sedgwick's Elements of Damages	491
Select Pleas in the Court of Admiralty, Vol. I. (Selden Society Publications)	162
Strickland's Table of Public General Acts in Force	230
Tiffany on Sales	228
Thompson on Corporations	225
Valery: Des Contrats par Correspondance	164
Vital Statistics of the New England States	230
Walker's Manual of Public International Law	226
Walker on Patents, Third Edition	438
White's Outlines of Legal History	553
Wilson's Works (Andrews's Edition)	551